

Message

From: Cirian, Mike [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=98D0FD2CBB3F4F25B819C6929E18D08D-CIRIAN, MIKE]
Sent: 5/14/2015 7:20:56 PM
To: Peterson, Cynthia [Peterson.Cynthia@epa.gov]
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Thanks Cynthia

Mike Cirian, PE
Libby On-site Project Manager
US EPA
108 East 9th Street
Libby, MT 59923
(406) 293-6194 Office

From: Peterson, Cynthia
Sent: Thursday, May 14, 2015 1:13 PM
To: Cirian, Mike; Chalfant, Mark; Parker, Robert; Wilder, Scott
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Hi, Mike.

Libby is out until Monday, but I was going to run this by her to see how/if we should be engaging with this group. I'll let you know if she has any thoughts on this, too.

Cynthia Peterson
Community Involvement Coordinator
Public Affairs and Community Involvement U.S. Environmental Protection Agency, Region VIII
1595 Wynkoop St. (8OC-PAI)
Denver, CO 80202-1129
303-312-6879 -- direct dial

From: Cirian, Mike
Sent: Thursday, May 14, 2015 1:08 PM
To: Chalfant, Mark; Parker, Robert; Wilder, Scott; Peterson, Cynthia
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Hi Mark,

If at any time you think I should attend any of these meetings they described below, let me know. It's short notice for me on this one as we also have a prescribed burn up at the Libby mine site so I need to be around here for that. I think since we are still in the comment period it may be best to wait to attend some of these. Your thoughts?

Mike

Mike Cirian, PE
Libby On-site Project Manager
US EPA
108 East 9th Street
Libby, MT 59923

From: Chalfant, Mark

Sent: Thursday, May 14, 2015 10:19 AM

To: Parker, Robert; Cirian, Mike; Wilder, Scott; Peterson, Cynthia

Subject: Fw: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

FYI.

From: Otis, Andrew D. <aotis@curtis.com>

Sent: Wednesday, May 13, 2015 1:28 PM

To: Chalfant, Mark

Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Dear Mark,

I wanted to update regarding two developments at the above referenced site and again ask whether we can schedule a meeting to discuss a potential AOC pertaining to site investigation or when you would be able to send me a draft of such an AOC.

With regard to recent developments:

First, as you may have read in the press, CFAC has entered into a contract with Calbag Metals to demolish most of the large buildings on the site, including the buildings containing the pots, and dispose of Spent Pot Liner and other waste associated with those buildings.

Second, CFAC has formed a Community Liaison Panel consisting of members of the local community. The purpose of the panel is to receive feedback from the local community with regard to the status and plans for the facility and to provide them with information regarding ongoing site work and assessment. The first meeting of the Panel will be tomorrow in Columbia Falls and it is expected that the Panel will meet monthly going forward.

Please feel free to contact me if you have any questions or would like to discuss these developments or any other matter related to the site. I look forward to hearing from you at your earliest convenience regarding whether EPA is willing to discuss an AOC with CFAC regarding site investigation and, if so, when such a discussion might occur.

Many thanks and best regards,

Andrew

Andrew D. Otis

Partner

Curtis, Mallet-Prevost, Colt & Mosle LLP

101 Park Ave

New York, NY 10178-0061

Phone: (212) 696 - 6907

Fax: (917) 368 - 7307

www.curtis.com

Skype: Andrew.Otis



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From: Chalfant, Mark [<mailto:Chalfant.Mark@epa.gov>]
Sent: Monday, March 23, 2015 7:05 PM
To: Otis, Andrew D.
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Mr. Otis:
Thank you for your email below.
I will be in touch with you later this week to discuss next steps.
Mark

From: Otis, Andrew D. [<mailto:aotis@curtis.com>]
Sent: Monday, March 23, 2015 1:14 PM
To: Chalfant, Mark
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Hi Mark,

I didn't get a reply to my email below and wanted to follow up to try to schedule a meeting to discuss CFAC entering into an AOC to investigate the above site. Please let me know what date and location work best for you and we will make every effort to accommodate your schedule.

Best regards,

Andrew

From: Otis, Andrew D.
Sent: Tuesday, March 17, 2015 10:48 AM
To: 'Chalfant, Mark'
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Mark,

I wanted to give you a day to dig out after returning from leave before following up. I wanted to see if we could schedule a call or meeting to discuss next steps with regard to the site. Please let me know your availability.

Best regards,

Andrew

From: Chalfant, Mark [<mailto:Chalfant.Mark@epa.gov>]
Sent: Tuesday, February 24, 2015 3:50 PM
To: Otis, Andrew D.
Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Mr. Otis:

Thank you for your follow-up message. In response to your request that the EPA defer proposing the site for inclusion on the National Priorities List (NPL), we will relay your request to the EPA Headquarters officials responsible for proposing the site on the NPL.

The EPA's Denver regional office completed an initial site assessment in April, 2014 to evaluate potential or confirmed releases of hazardous substances that may pose a threat to human health or the environments. Based

on available information, we believe that listing is appropriate and the best vehicle for addressing the site. Governor Steve Bullock and United States Senator Jon Tester are on record in support of listing. As I noted in my previous email, the proposed listing will be open for public comment.

There will be ample opportunity for the EPA and Columbia Falls Aluminum Company to discuss next steps, including an Administrative Order on Consent to study the nature and extent of contamination (Remedial Investigation) and evaluate potential cleanup alternatives (Feasibility Study). The EPA welcomes the company's desire to enter into an AOC, and I look forward to working with you.

-Mark

From: Otis, Andrew D. [<mailto:aotis@curtis.com>]

Sent: Monday, February 23, 2015 2:40 PM

To: Chalfant, Mark

Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Dear Mark,

Thanks for your response and notice about a potential proposed NPL listing for the site. We would request that EPA hold off on proposing to list the site on the NPL until we have had a chance to meet and discuss an AOC for performing site assessment. CFAC believes that the site can be addressed effectively through agreements with EPA and need not be proposed to be listed on the NPL. We look forward to meeting with you but are also available to meet with others from EPA during the period on which you will be on leave.

Best regards,

Andrew

From: Chalfant, Mark [<mailto:Chalfant.Mark@epa.gov>]

Sent: Monday, February 23, 2015 4:25 PM

To: Otis, Andrew D.

Subject: RE: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Mr. Otis:

Thank you for your message. I will be out of the office on leave for the next two and a half weeks returning to the office on Monday, March 16th. I appreciate your follow-up, and will contact you upon my return to the office in mid-March to discuss next steps on the Administrative Order on Consent for the above-referenced site.

I also wanted to let you know that the EPA may propose the above-referenced site for inclusion on the National Priorities List (NPL) as early as March, 2015. Public comment on the proposed NPL listing will be open for sixty days following publication of the proposed listing in the Federal Register.

-Mark

Mark A.R. Chalfant

Attorney

Legal Enforcement Program

Office of Enforcement, Compliance and Environmental Justice | U.S. EPA Region 8

303.312.6177 | chalfant.mark@epa.gov

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From: Otis, Andrew D. [mailto:aotis@curtis.com]
Sent: Monday, February 23, 2015 8:57 AM
To: Chalfant, Mark
Subject: Anaconda Aluminum Company Site, Flathead County, MT, SSID #A8-82 - AOC

Dear Mark,

Following up on our telephone call in November, 2014, CFAC would like to reiterate its desire to begin discussions about entering into an Administrative Order On Consent with the EPA regarding assessment activities at the above referenced site. During our November telephone call, you had said that you thought that such discussions would be a logical next step and would contact me with regard to scheduling. I have not heard from you and thus wanted to follow up and begin that scheduling discussion.

Please feel free to contact me if you have any questions and I look forward to hearing from you regarding when we may schedule a call or in person meeting to discuss next steps with regard to an AOC.

Many thanks and best regards,

Andrew Otis

Andrew D. Otis
Partner
Curtis, Mallet-Prevost, Colt & Mosle LLP
101 Park Ave
New York, NY 10178-0061
Phone: (212) 696 - 6907
Fax: (917) 368 - 7307
www.curtis.com
Skype: Andrew.Otis

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Curtis, Mallet-Prevost, Colt & Mosle LLP (101 Park Avenue, New York, NY 10178)

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